IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

Writ Petition No. 1965 of 2004

1.Shantu Karsandas
and others ..Petitioners

vs.

1. Ajay Kumar Ganeshnarayan
Podar and ors. ..Respondents

Shri S.G.Surana with Shri S.T.Gaikwad i/b Shri M.A.Choudhary for petitioners.
Shri Pratik Seksariya wih Shri Pravin Samdhani i/b M/s Dhruv and Co. for respondent nos. 1 to 5.
Shri V.M.Phal, Addl.G.P. for respondent no.6 and 7.

CORAM: S.B.MHASE &
S.R.DONGAONKAR JJ.
28th February, 2006

1. Heard.

2. The grievance of the petitioners was that as per the terms and conditions of the Trust Deed, particularly clause 7, there shall always be on the Board of Trustees one representative of the family of each of the said Anandilal Podar, Bhavanji Karsandas Hansraj Hari and Tulsidas Khimji. Such representatives to be nominated by adult members of the said family. The petitioners are the representatives from the three branches and since these branches were not given representation in the Board of Trustees, the present petition was filed. When the

matter was being heard the respondents Trustees also realised that they are under obligation to comply with the terms and conditions as contained in the Trust Deed and, therefore, representation to 3 branches as contained in clause 7 of the Trust Deed is necessary. A meeting was, therefore, held on 27th February,2006 and it was resolved in the said meeting that the petitioners should be the trustees of the said Trust representing each of the branch as provided in clause 7 of the Trust Deed. The said resolution is placed on record and marked as "X' for identification.

3. In view of the Resolution dated 27th February, 2006 Shri Surana, learned counsel for the petitioners, submits that the grievance of the petitioners so far as the petitioners are concerned is at present redressed. He, therefore, submits that the Trust be directed to submit the change report to the Charity Commissioner.

4. Learned Counsel for respondent nos.1 to 5 states that as per the provisions of sec.22, change report would be submitted to record the names of the added trustees as per Resolution

dated 27th February, 2006. In view of this we find that the grievance of the petitioners is redressed and nothing survives in the petition. Petition is accordingly disposed of.

(S.R.DONGAONKAR J.) **(S.B.MHASE J.)**